

REMARKS

Favorable reconsideration is respectfully requested.

Claim 9 is pending. Claim 9 is currently amended. Claims 1-8 are cancelled.

The amendment to claim 9 is supported in original claim 1.

No new matter is added.

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Noriaki et al. (JP 09-074999) (hereinafter referred to as "JP '999").

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Akiko et al. (JP 09-163929) (hereinafter referred to as "JP '929").

Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '999.

Claim 1-4 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '929.

The prior art rejections over JP '999 and JP '929 are rendered moot by the cancellation of claims 1-6.

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al. (U.S. 5,138,800) in view of Schwartzberg ((1992) Physical Chemistry of Foods, Marcel Dekker, Inc., Table 6.6).

Applicants respectfully traverse this rejection.

The present invention is directed to a process of producing a fried-like cooked food comprising coating the surface of an unfried food with a fat composition by spraying or immersing, and then subjecting the coated unfried food to radiation heating or superheated steam heating with a fat composition which comprises a fat and an agent for reducing the contact angle of the resulting fat composition to 0.7 times or less than that of a fat having nearly the same slip melting point as the fat composition.

Anderson et al. discloses a browning composition for browning foods.

On the other hand, the composition used in the process of the present invention is for coating an unfried food. As seen from Table 3 of the present specification, the products of

Examples 26 to 28 are only slightly burned. This clearly shows that the composition used in the process of the present invention is not for browning foods.

The compositions of Anderson et al. comprise a fat as a continuous phase and a colorant in a dispersed phase. An emulsifier is used in the compositions of Anderson et al. for maintaining the dispersion state of the composition, i.e., for stabilizing the composition itself. In fact, as seen from column 4, lines 43-64, of Anderson et al., the colorant is preferably a water-soluble colorant and, when using it, it is dissolved in water. Therefore, it is made clear that the emulsifier in Anderson et al. is used for maintaining the emulsion state of the composition.

Meanwhile, an emulsifier is also used in the composition of the process of the present invention. However, it is used for reducing the contact angle so that the composition can easily coat foods. This is completely different from stabilization of the composition as in Anderson et al.

Therefore, Anderson et al. does not teach or suggest reducing the contact angle of the resulting fat composition to 0.7 times or less that of a fat having nearly the same slip melting point as presently claimed.

Furthermore, no water is contained in the composition used in the process of the present invention as is the case in Anderson et al. This shows that Anderson et al. also does not disclose or suggest using the presently claimed compositions in radiation heating or superheated steam heating as presently claimed.

Therefore, Anderson et al. does not teach or suggest reducing the contact angle of the resulting fat composition to 0.7 times or less that of a fat having nearly the same slip melting point of the present invention. Anderson et al. also does not disclose or suggest using the presently claimed compositions in radiation heating or superheated steam heating.

Schwartzberg merely discloses the HLB of certain emulsifiers and is otherwise irrelevant to the present invention.

Thus, the references relied upon by the Examiner do not teach or suggest all of the steps of the present invention.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone below.

Respectfully submitted,

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